EXECUTIVE COMMITTEE AGENDA

Friday, January 9, 2015
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

AGENDA HIGHLIGHTS

• PROPOSED 2015 LEGISLATIVE PROGRAM
• LEGISLATIVE STATUS REPORT

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional
decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources,
plans, engineers, and builds public transit, and provides information on a broad range of topics
pertinent to the region’s quality of life.
Welcome to SANDAG. Members of the public may speak to the Executive Committee on any item at the time the Committee is considering the item. Please complete a Speaker’s Slip, which is located in the rear of the room, and then present the slip to the Clerk of the Committee seated at the front table. Members of the public may address the Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Public speakers are limited to three minutes or less per person. The Executive Committee may take action on any item appearing on the agenda.

Public comments regarding the agenda can be sent to SANDAG via comment@sandag.org. Please include the agenda item, your name, and your organization. Email comments should be received no later than 12 noon, two working days prior to the Executive Committee meeting. Any handouts, presentations, or other materials from the public intended for distribution at the Executive Committee meeting should be received by the Committee Clerk no later than 12 noon, two working days prior to the meeting.

In order to keep the public informed in an efficient manner and facilitate public participation, SANDAG also provides access to all agenda and meeting materials online at www.sandag.org/meetings. Additionally, interested persons can sign up for e-notifications via our e-distribution list at either the SANDAG website or by sending an email request to webmaster@sandag.org.

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**EXECUTIVE COMMITTEE**  
Friday, January 9, 2015

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>RECOMMENDATION</th>
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<tbody>
<tr>
<td>+1.</td>
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<tr>
<td>APPROVAL OF MEETING MINUTES</td>
<td>APPROVE</td>
</tr>
<tr>
<td>The Executive Committee is asked to review and approve the minutes from its December 5, 2014, meeting.</td>
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<td>2.</td>
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<tr>
<td>PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS</td>
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<td>3.</td>
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<tr>
<td>REVIEW OF DRAFT BOARD AGENDAS (Kim Kawada)</td>
<td>APPROVE</td>
</tr>
<tr>
<td>+3B. Draft Board Policy Agenda - February 13, 2015</td>
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<td>4.</td>
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<tr>
<td>PROPOSED 2015 LEGISLATIVE PROGRAM (Victoria Stackwick)</td>
<td>RECOMMEND</td>
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<tr>
<td>Each year, the Executive Committee recommends a legislative program to the Board of Directors for the calendar year. Consistent with past programs, the proposed 2015 Legislative Program includes policies and proposals for possible federal and state legislation and local activities. The Executive Committee is asked to recommend that the Board of Directors approve the proposed 2015 Legislative Program.</td>
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<td>5.</td>
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<tr>
<td>LEGISLATIVE STATUS REPORT (Victoria Stackwick, SANDAG; Peter Peyser, Peyser Associates LLC; Brooks Ellison, Ellison Wilson Advocacy, LLC)</td>
<td>INFORMATION</td>
</tr>
<tr>
<td>Representatives from Peyser Associates LLC and Ellison Wilson Advocacy, LLC will provide status reports regarding expected legislative activities at the state and federal level in 2015.</td>
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<td>6.</td>
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<td>CONTINUED PUBLIC COMMENTS</td>
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<td>7.</td>
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<tr>
<td>UPCOMING MEETINGS</td>
<td>INFORMATION</td>
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<td>The next meeting of the Executive Committee is scheduled for Friday, February 13, 2015, at 9 a.m.</td>
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<td>8.</td>
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<tr>
<td>ADJOURNMENT</td>
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+ next to an agenda item indicates an attachment
EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS

DECEMBER 5, 2014

Chair Jack Dale (East County) called the meeting of the SANDAG Executive Committee to order at 9 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF THE NOVEMBER 7, 2014, MEETING MINUTES

Action: Upon a motion by Mayor Matt Hall (North County Coastal) and a second by Second Vice Chair Don Higginson (North County Inland), the minutes of the November 7, 2014, Executive Committee meeting were approved. Yes – Chair Dale, First Vice Chair Jim Janney (South County), Second Vice Chair Higginson, Mayor Hall, Council President Todd Gloria (City of San Diego), and Supervisor Ron Roberts (County of San Diego). No - 0. Abstain - 0. Absent – 0.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

There were no public/member comments.

CONSENT

3. LEGISLATIVE STATUS REPORT (INFORMATION)

Periodic status reports on legislative activities are reported to the Executive Committee throughout the year. This report provides a summary of the various state and federal activities.

Action: This item was presented for information.

REPORTS

4. REVIEW OF DRAFT BOARD AGENDAS (APPROVE)

The Executive Committee was asked to approve the draft agenda for the December 19, 2014, Board Business meeting.

Action: Upon a motion by Mayor Hall and a second by Supervisor Roberts, the Executive Committee approved the December 19, 2014, Board Business meeting agenda, as amended. Yes – Chair Dale, First Vice Chair Janney, Second Vice Chair Higginson, Mayor Hall, Council President Gloria, and Supervisor Roberts. No - 0. Abstain - 0. Absent – 0.
Kim Kawada, Chief Deputy Executive Director, provided a verbal update on the January 9, 2015, Board Policy meeting agenda.

**Action:** Upon a motion by Mayor Hall and a second by Supervisor Roberts, the Executive Committee approved the January 9, 2015, Board Policy meeting agenda. Yes – Chair Dale, First Vice Chair Janney, Second Vice Chair Higginson, Mayor Hall, Council President Gloria, and Supervisor Roberts. No - 0. Abstain - 0. Absent – 0

5. CONTINUED PUBLIC COMMENTS

There were no continued public comments.

6. UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, January 9, 2015, at 9 a.m.

7. ADJOURNMENT

Chair Dale adjourned the meeting at 9:04 a.m.
# CONFIRMED ATTENDANCE
## SANDAG EXECUTIVE COMMITTEE MEETING
### DECEMBER 5, 2014

<table>
<thead>
<tr>
<th>GEOGRAPHICAL AREA</th>
<th>JURISDICTION</th>
<th>NAME</th>
<th>PRIMARY/ALTERNATE</th>
<th>ATTENDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>North County Inland</td>
<td>City of Poway</td>
<td>Don Higginson, 2nd Vice Chair</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>City of San Marcos</td>
<td>Chris Orlando</td>
<td>Alternate</td>
<td>Yes</td>
</tr>
<tr>
<td>North County Coastal</td>
<td>City of Carlsbad</td>
<td>Matt Hall</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>City of Del Mar</td>
<td>Terry Sinnott</td>
<td>Alternate</td>
<td>Yes</td>
</tr>
<tr>
<td>South County</td>
<td>City of Imperial Beach</td>
<td>Jim Janney, 1st Vice Chair</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>City of National City</td>
<td>Ron Morrison</td>
<td>Alternate</td>
<td>Yes</td>
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<tr>
<td>East County</td>
<td>City of Santee</td>
<td>Jack Dale, Chair</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>City of El Cajon</td>
<td>Bill Wells</td>
<td>Alternate</td>
<td>Yes</td>
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<tr>
<td>City of San Diego</td>
<td>___</td>
<td>Todd Gloria</td>
<td>Primary</td>
<td>Yes</td>
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<td></td>
<td>___</td>
<td>Sherri Lightner</td>
<td>Alternate</td>
<td>No</td>
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<td></td>
<td>___</td>
<td>Marti Emerald</td>
<td>Alternate</td>
<td>No</td>
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<tr>
<td>County of San Diego</td>
<td>___</td>
<td>Dianne Jacob</td>
<td>Primary</td>
<td>No</td>
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<td>___</td>
<td>Ron Roberts</td>
<td>Alternate</td>
<td>Yes</td>
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# REVIEW OF THE JANUARY 23, 2015, DRAFT BOARD BUSINESS AGENDA

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>+1.</td>
<td>APPROVAL OF MEETING MINUTES</td>
</tr>
<tr>
<td>+1A.</td>
<td>December 5, 2014, Board Policy Meeting Minutes</td>
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<tr>
<td>+1B.</td>
<td>December 19, 2014, Board Business Meeting Minutes</td>
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<tr>
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<td>3.</td>
<td>ACTIONS FROM POLICY ADVISORY COMMITTEES (Robyn Wapner)</td>
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<td></td>
<td>This item summarizes the actions taken by the Policy Advisory Committees since the last Board Business Meeting. The Board of Directors is asked to ratify these actions.</td>
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### CONSENT

| +4. | APPROVAL OF PROPOSED SOLICITATIONS AND CONTRACTS (Laura Coté)* | APPROVE |
|     | The Board of Directors is asked to review and approve the proposed solicitations and contract awards summarized in the attached reports. |
|     | +4A. Solicitations |
|     | +4B. Contract Awards |
| +5. | REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY THE EXECUTIVE DIRECTOR (André Douzdjian)* | INFORMATION |
|     | In accordance with various SANDAG Board Policies, this report summarizes certain delegated actions taken by the Executive Director since the last Board of Directors meeting. |
+6. REPORT ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG (Robyn Wapner) INFORMATION

Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

+7. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (Rachel Nycholat) INFORMATION

Federal regulations require that the agency maintain an Equal Employment Opportunity (EEO) Program as a condition of receipt of federal funds. SANDAG administrative policies and procedures mandate EEOs in recruitment, hiring, and employment for both applicants and employees. In accordance with SANDAG Board Policy No. 007: Equal Employment Opportunity Program, this report summarizes employment results for 2014 and reviews EEO Program goals for the upcoming year.

REPORTS

+8. PROPOSED 2015 LEGISLATIVE PROGRAM (Vice Chair Ron Roberts, Robyn Wapner)* APPROVE

Consistent with past programs, the proposed 2015 Legislative Program includes policies and proposals for possible federal and state legislation and local activities. The Executive Committee recommends that the Board of Directors approve the proposed 2015 SANDAG Legislative Program.

9. CONTINUED PUBLIC COMMENTS

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

10. UPCOMING MEETINGS INFORMATION

The next Board Policy meeting is scheduled for Friday, February 13, 2015, at 10 a.m. The next Board Business meeting is scheduled for Friday, February 27, 2015, at 9 a.m.

11. ADJOURNMENT

+ next to an agenda item indicates an attachment

* next to an agenda item indicates that the Board of Directors also is acting as the San Diego Regional Transportation Commission for that item
REVIEW OF THE FEBRUARY 13, 2015, DRAFT BOARD POLICY AGENDA

ITEM NO. 15-01-3B
JANUARY 9, 2015
ACTION REQUESTED – APPROVE

RECOMMENDATION

1. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Public comments under this agenda item will be limited to five public speakers. Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG that is not on this agenda. Other public comments will be heard during the items under the heading “Reports.” Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Public speakers are limited to three minutes or less per person. Board members also may provide information and announcements under this agenda item.

REPORTS

+2. REVIEW OF DRAFT AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM ACCEPTABLE USE POLICIES (Lemon Grove Mayor Mary Sessom, Public Safety Committee Chair; Pam Scanlon)

The Automated Regional Justice Information System (ARJIS) Division is in the process of developing and implementing Acceptable Use Policies (AUPs) that outline ARJIS responsibilities and limitations in its role as the service provider for regional public safety-related technologies and applications. Staff will present the proposed AUPs for Facial Recognition, as implemented in the Tactical Identification System, and for the License Plate Reader (LPR) system. The Public Safety Committee recommends that the Board of Directors approve the proposed ARJIS AUPs for Facial Recognition and LPR.

+3. PROPOSED FY 2015 PROGRAM BUDGET AMENDMENT: URBAN AREA SECURITY INITIATIVE TACTICAL IDENTIFICATION SYSTEM PROJECT (Lemon Grove Mayor Mary Sessom, Public Safety Committee Chair; Katie Mugg)

The Automated Regional Justice Information System received approval at the April 18, 2014, Public Safety Committee meeting to seek Urban Area Security Initiative funds for the Tactical Identification System facial recognition maintenance agreement, and was subsequently awarded $99,000 to continue maintaining this system through 2015. The Public Safety Committee recommends that the Board of Directors approve an amendment to the FY 2015 Program Budget to accept $99,000 for the system maintenance.
4. CONTINUED PUBLIC COMMENTS

If the five speaker limit for public comments was exceeded at the beginning of this agenda, other public comments will be taken at this time. Subjects of previous agenda items may not again be addressed under public comment.

5. UPCOMING MEETINGS

The next Board Business meeting is scheduled for Friday, February 27, 2015, at 9 a.m.

6. ADJOURNMENT

+ next to an agenda item indicates an attachment
PROPOSED 2015 LEGISLATIVE PROGRAM

Introduction

Each year, the Executive Committee recommends a Legislative Program to the Board of Directors for the calendar year. Consistent with past programs, the proposed 2015 Legislative Program (Attachment 1) includes policies and programs for possible federal and state legislation as well as local activities.

Discussion

The SANDAG Legislative Program serves as a road map for the Board of Directors and staff to follow as legislation is introduced and activities occur during the federal and state legislative sessions. The program is organized into three sections that relate to the level of effort needed to support corresponding legislative activities: (1) Sponsor, (2) Support/Oppose, and (3) Monitor. The program also lists the Board position, position year, which Policy Advisory Committee is involved, and whether the goals include federal, state, and/or local efforts.

The 2014 Legislative Program (Attachment 2), approved by the Board of Directors in January 2014, includes 27 separate goals. Staff modified the 2014 Legislative Program as a starting point to initiate Executive Committee discussion regarding the draft 2015 Legislative Program. In Attachment 1, proposed changes are shown in red strikethrough text and modifications and additions are underlined. The changes are discussed below.

At its December 12, 2014, meeting, the Public Safety Committee unanimously supported retaining Goal Nos. 4B, 5B, and 12B as part of the 2015 Legislative Program.

Proposed Modifications

The following goals are proposed to be modified:

- Goal No. 1A – Work with federal, state, and local stakeholders to implement the federal surface transportation authorization, including appropriate funding levels, goods movement and border programs, transit investment and reforms, process improvements (including streamlined environmental processes), active transportation, and tribal transportation planning.

The current federal surface transportation legislation, Moving Ahead for Progress in the 21st Century, is set to expire on May 31, 2015. Several federal surface transportation authorization proposals have been introduced by the U.S. House of Representatives, Senate, and Administration
for consideration. Staff recommends modifying Goal 1A to be more general to include subsequent transportation authorization proposals.

- Goal No. 12B – Efforts to support funding opportunities and legislation that promote the implementation of effective and collaborative strategies and programs that maintain public safety and promote quality of life and public health, including initiatives that address substance abuse and graffiti abatement and reduce youth and gang violence.

Staff proposes to include public health within Goal No. 12B given the increased interest at the regional level on this issue. The proposed modification is consistent with work on San Diego Forward: The Regional Plan, which sets forth goals and policy objectives to create vibrant, healthy communities where residents have cleaner air and opportunities to bike and walk.

Based on direction from the Executive Committee at its November 7, 2014, meeting, the assignment of priority levels for each goal also was removed to further streamline the 2015 Legislative Program.

Next Steps

Should the Executive Committee recommend approval, action on the 2015 Legislative Program is scheduled for the January 23, 2015, Board of Directors meeting.

VICTORIA STACKWICK  
Principal Legislative Analyst

Attachments:  1. Proposed 2015 Legislative Program  
2. 2014 Legislative Program

Key Staff Contact: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
2015 LEGISLATIVE PROGRAM

**Overarching Goal:** Pursue policy and legislative changes that enable SANDAG to better implement its adopted plans and programs.

(A) SPONSOR

<table>
<thead>
<tr>
<th>NO.</th>
<th>GENERAL DESCRIPTION OF GOAL</th>
<th>BOARD POSITION</th>
<th>T</th>
<th>R</th>
<th>P</th>
<th>B</th>
<th>JURISDICTION</th>
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<tr>
<td>1A</td>
<td>Work with federal, state, and local stakeholders to implement <strong>Moving Ahead for Progress in the 21st Century</strong> the Federal Surface Transportation Authorization, including appropriate funding levels, goods movement and border programs, transit investment and reforms, process improvements (including streamlined environmental processes), active transportation, and tribal transportation planning. (2007, 2012)</td>
<td>Sponsor</td>
<td>●</td>
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<td>Federal/State</td>
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<td>2A</td>
<td>Pursue resources and funding mechanisms consistent with financial strategies adopted in the Regional Transportation Plan (RTP) and Regional Comprehensive Plan (RCP), including but not limited to increasing revenues for transportation, cap-and-trade revenues, gas tax or equivalent revenue sources, bond measures, public/private partnerships, and smart growth. (2012)</td>
<td>Sponsor</td>
<td>●</td>
<td>●</td>
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<td>Federal/State/Local</td>
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<td>3A</td>
<td>Expand access to resources and technical tools that will enable SANDAG to implement the 2050 RTP and its Sustainable Communities Strategy. (2009)</td>
<td>Sponsor</td>
<td>●</td>
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<td>Federal/State</td>
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<td>4A</td>
<td>Pursue policy and/or legislative changes to enable the use of freeway shoulders as transit lanes on major corridors in the San Diego region. (2006)</td>
<td>Sponsor</td>
<td>●</td>
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<td>State</td>
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<td>5A</td>
<td>Pursue efforts that address border transportation infrastructure needs consistent with the RTP, RCP, and California-Baja California Border Master Plan. (2012)</td>
<td>Sponsor</td>
<td>●</td>
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<td>Federal/State/Local</td>
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<td>6A</td>
<td>Pursue policy and/or legislative changes to streamline or reform the California Environmental Quality Act (CEQA) for public transit improvements, active transportation projects, and other transportation projects located within existing rights-of-way. (2013)</td>
<td>Sponsor</td>
<td>●</td>
<td>●</td>
<td></td>
<td></td>
<td>State</td>
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<tr>
<td>7A</td>
<td>Pursue policy and/or legislative changes to improve the planning and implementation of the RTP/SCS, including modifying the required planning cycle for major updates of the RTP/SCS and clarifying the level of CEQA analysis required for the associated program environmental document. (2013)</td>
<td>Sponsor</td>
<td>●</td>
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<td>Federal/State</td>
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**Legend** - T: Transportation; R: Regional Planning; P: Public Safety; B: Borders

Please note, proposed changes are shown in red strike through text and modifications and additions are underlined.
# (B) SUPPORT/OPPOSE

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<thead>
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<th>R</th>
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<th>JURISDICTION</th>
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<tr>
<td>1B</td>
<td>Legislation that provides incentives to jurisdictions that provide opportunities for more housing, including affordable and transit-oriented developments, supports regional fair-share allocation of housing funds, and provides additional affordable housing funding with greater local/regional control. (2002)</td>
<td>Support</td>
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<td>Federal/State</td>
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<td>2B</td>
<td>Support policies and/or legislation implementing climate change plans and programs including cap-and-trade that are consistent with the RCP and RTP. (2007)</td>
<td>Support</td>
<td>●</td>
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<td>Federal/State/Local</td>
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<td>3B</td>
<td>Support efforts to pursue public transit funding, including a Full Funding Grant Agreement for the Mid-Coast Corridor Transit Project and continued support for intercity rail. (2008, 2013)</td>
<td>Support</td>
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<td>State</td>
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<td>4B</td>
<td>Efforts to pursue resources to improve regional public safety voice and data communications and interoperability, including connectivity with state and federal systems. (2005)</td>
<td>Support</td>
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<td>Federal/State/Local</td>
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<td>5B</td>
<td>Efforts to pursue funding at both the state and federal levels to improve public safety and security in the San Diego region through Automated Regional Justice Information System operations and enhancements, regional transportation system improvements, and activities related to regional emergency preparedness, prevention, and response to catastrophic events. (2003, 2005, 2011)</td>
<td>Support</td>
<td>●</td>
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<td>Federal/State/Local</td>
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<td>6B</td>
<td>Fiscal reform initiatives that enable regions to develop their own fiscal strategies and oppose unfunded mandates on local governments. Pursue initiatives that balance the fiscal influence that sales tax revenues have upon local land use decisions. (2002)</td>
<td>Support</td>
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<td>Federal/State/Local</td>
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<td>7B</td>
<td>Lower the current two-thirds voter requirement for special purpose taxes, such as transportation and quality of life improvements, to a simple majority vote. (2002)</td>
<td>Support</td>
<td>●</td>
<td></td>
<td>●</td>
<td>●</td>
<td>State</td>
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<td>8B</td>
<td>Efforts assisting in the implementation of key environmental issues, including habitat conservation, planning, beach restoration and replenishment, and water quality-related issues. (2002)</td>
<td>Support</td>
<td></td>
<td></td>
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<td></td>
<td>State/Local</td>
</tr>
<tr>
<td>9B</td>
<td>Mechanisms providing for the implementation of the RTP, including value pricing, managed lanes, high-occupancy toll lanes, the alleviation of current constraints on transponder technology, transit priority treatments, Transportation Demand Management, and other efforts that promote efficient use of highways and local roads. (2003)</td>
<td>Support</td>
<td></td>
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</tr>
<tr>
<td>10B</td>
<td>Support energy-related legislation, programs, and policies that are consistent with the Regional Energy Strategy. (2002)</td>
<td>Support</td>
<td></td>
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</tbody>
</table>

**Legend** - T: Transportation; R: Regional Planning; P: Public Safety; B: Borders

Please note, proposed changes are shown in red strike through text and modifications and additions are underlined.
### (B) SUPPORT/OPPOSE (continued)

<table>
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<td>11B</td>
<td>Efforts to expand available methods of transportation project delivery, including design-build, design sequencing, construction manager/general contractor, and other alternative methods that expedite connectivity with state and federal systems. (2005)</td>
<td>Support</td>
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<td>State</td>
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<tr>
<td>12B</td>
<td>Efforts to support funding opportunities and legislation that promote the implementation of effective and collaborative strategies and programs that maintain public safety, and promote quality of life and public health, including initiatives that address substance abuse and graffiti abatement, and reduce youth and gang violence.</td>
<td>Support</td>
<td></td>
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<td>Federal/State/Local</td>
</tr>
<tr>
<td>13B</td>
<td>Pursue legislative and/or administrative reform of the Regional Housing Needs Assessment process and state housing element law. (2002, 2011)</td>
<td>Support</td>
<td></td>
<td></td>
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<td>Federal/State/Local</td>
</tr>
<tr>
<td>14B</td>
<td>Support legislation and/or policies that promote governmental efficiencies and cost savings. (2009)</td>
<td>Support</td>
<td></td>
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<td>Federal/State</td>
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<tr>
<td>15B</td>
<td>Transit boards’ legislative programs where consistent with SANDAG Policy. (2002)</td>
<td>Support</td>
<td></td>
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</table>

### (C) MONITOR

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<tbody>
<tr>
<td>1C</td>
<td>Proposals that limit the use of eminent domain for public infrastructure projects. (2005)</td>
<td>Monitor/</td>
<td></td>
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<tr>
<td>2C</td>
<td>Legislation affecting solid waste, water supply, and storm water, support of funding opportunities to assist in these areas. (2003)</td>
<td>Monitor/Respond</td>
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<td>3C</td>
<td>Legislation relating to personnel matters, i.e., workers’ compensation, Public Employee Retirement System (PERS) benefits, and other labor related issues. (2003)</td>
<td>Monitor/Respond</td>
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<td>Federal/State/Local</td>
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<tr>
<td>4C</td>
<td>Legislation requiring local agencies to implement new administrative compliance measures. (2005)</td>
<td>Monitor/Respond</td>
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Please note, proposed changes are shown in red strike through text and modifications and additions are underlined.
# 2014 LEGISLATIVE PROGRAM

**Overarching Goal:** Pursue policy and legislative changes that enable SANDAG to better implement its adopted plans and programs.

## (A) SPONSOR

<table>
<thead>
<tr>
<th>NO.</th>
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</thead>
<tbody>
<tr>
<td>1A</td>
<td>Work with federal, state, and local stakeholders to implement Moving Ahead for Progress in the 21st Century including appropriate funding levels, goods movement and border programs, transit investment and reforms, process improvements (including streamlined environmental processes), active transportation, and tribal transportation planning. (2007, 2012)</td>
<td>Highest</td>
<td>Sponsor</td>
<td></td>
<td></td>
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<td>Federal/State</td>
</tr>
<tr>
<td>2A</td>
<td>Pursue resources and funding mechanisms consistent with financial strategies adopted in the Regional Transportation Plan (RTP) and Regional Comprehensive Plan (RCP), including but not limited to increasing revenues for transportation, cap-and-trade revenues, gas tax or equivalent revenue sources, bond measures, public/private partnerships, smart growth, and higher pass-through maintenance/preservation funding. (2012)</td>
<td>Highest</td>
<td>Sponsor</td>
<td></td>
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</tr>
<tr>
<td>3A</td>
<td>Expand access to resources and technical tools that will enable SANDAG to implement the 2050 RTP and its Sustainable Communities Strategy. (2009)</td>
<td>Highest</td>
<td>Sponsor</td>
<td></td>
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</tr>
<tr>
<td>4A</td>
<td>Pursue policy and/or legislative changes to enable the use of freeway shoulders as transit lanes on major corridors in the San Diego region. (2006)</td>
<td>High</td>
<td>Sponsor</td>
<td></td>
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<td>State</td>
</tr>
<tr>
<td>5A</td>
<td>Pursue efforts that address border transportation infrastructure needs consistent with the RTP, RCP, and California-Baja California Border Master Plan. (2012)</td>
<td>High</td>
<td>Sponsor</td>
<td></td>
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</tr>
<tr>
<td>6A</td>
<td>Pursue policy and/or legislative changes to streamline or reform the California Environmental Quality Act (CEQA) for public transit improvements, active transportation projects, and other transportation projects located within existing rights-of-way. (2013)</td>
<td>High</td>
<td>Sponsor</td>
<td></td>
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</tr>
<tr>
<td>7A</td>
<td>Pursue policy and/or legislative changes to improve the planning and implementation of the RTP/SCS, including modifying the required planning cycle for major updates of the RTP/SCS and clarifying the level of CEQA analysis required for the associated program environmental document. (2013)</td>
<td>High</td>
<td>Sponsor</td>
<td></td>
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<tr>
<td>1B</td>
<td>Legislation that provides incentives to jurisdictions that provide opportunities for more housing, including affordable and transit-oriented developments, supports regional fair-share allocation of housing funds, and provides additional affordable housing funding with greater local/regional control. (2002)</td>
<td>Highest</td>
<td>Support</td>
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</tr>
<tr>
<td>2B</td>
<td>Support policies and/or legislation implementing climate change plans and programs including cap-and-trade that are consistent with the RCP and RTP. (2007)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<tr>
<td>3B</td>
<td>Support efforts to pursue public transit funding, including a Full Funding Grant Agreement for the Mid-Coast Corridor Transit Project and continued support for intercity rail. (2008, 2013)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<tr>
<td>4B</td>
<td>Efforts to pursue resources to improve regional public safety voice and data communications and interoperability, including connectivity with state and federal systems. (2005)</td>
<td>Highest</td>
<td>Support</td>
<td></td>
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<tr>
<td>5B</td>
<td>Efforts to pursue funding at both the state and federal levels to improve public safety and security in the San Diego region through Automated Regional Justice Information System operations and enhancements, regional transportation system improvements, and activities related to regional emergency preparedness, prevention, and response to catastrophic events. (2003, 2005, 2011)</td>
<td>Highest</td>
<td>Support</td>
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<tr>
<td>6B</td>
<td>Fiscal reform initiatives that enable regions to develop their own fiscal strategies and oppose unfunded mandates on local governments. Pursue initiatives that balance the fiscal influence that sales tax revenues have upon local land use decisions. (2002)</td>
<td>Highest</td>
<td>Support</td>
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<td>7B</td>
<td>Lower the current two-thirds voter requirement for special purpose taxes, such as transportation and quality of life improvements, to a simple majority vote. (2002)</td>
<td>Highest</td>
<td>Support</td>
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<tr>
<td>8B</td>
<td>Efforts assisting in the implementation of key environmental issues, including habitat conservation, planning, beach restoration and replenishment, and water quality-related issues. (2002)</td>
<td>Higher</td>
<td>Support</td>
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<td>Support energy-related legislation, programs, and policies that are consistent with the Regional Energy Strategy. (2002)</td>
<td>Higher</td>
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## (B) SUPPORT/OPPOSE (continued)

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<td>15B</td>
<td>Transit boards’ legislative programs where consistent with SANDAG Policy. (2002)</td>
<td>Lower</td>
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<td>1C</td>
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<td>Lower</td>
<td>Monitor/Respond</td>
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LEGISLATIVE STATUS REPORT

Introduction

Monthly status reports on legislative activities are provided to the Executive Committee. Attachments 1 and 2 respectively include summaries from Ellison Wilson Advocacy, LLC on state legislative activity and from Peyser Associates LLC on federal legislative activity related to SANDAG.

VICTORIA STACKWICK
Principal Legislative Analyst

Attachments: 1. Report from Ellison Wilson Advocacy, LLC
2. Report from Peyser Associates LLC

Key Staff Contact: Victoria Stackwick, (619) 699-6926, victoria.stackwick@sandag.org
Robyn Wapner, (619) 699-1994, robyn.wapner@sandag.org
TO: SANDAG BOARD OF DIRECTORS

FROM: ELLISON WILSON ADVOCACY, LLC

SUBJECT: SANDAG 2015-16 LEGISLATIVE SESSION PREVIEW

DATE: DECEMBER 29, 2014

In October 2014, we provided SANDAG staff with our “Legislative Wrap-Up” of legislation introduced in the 2013-2014 Legislative Session. In this Legislative Report we preview the coming 2015-2016 Legislative Session, which formally began December 1st when the legislature returned for a one day organizational session.

The 2015-2016 Organizational Session

Pursuant to the California Constitution, both houses of the California Legislature convene on the first Monday in December after the November general election to organize, elect officers, and adopt rules for the upcoming two-year session. This year the organizational session occurred on December 1st.

As expected, Senator Kevin de Leon, (D-Los Angeles) was elected President pro Tempore (pro Tem) of the Senate and Assembly Member Toni Atkins (D-San Diego) was elected Speaker of the Assembly. Senator de Leon had previously been elected pro Tem in October for the 2013-2014 Legislative Session when Darrel Steinberg (Sacramento) stepped down; Assembly Member Atkins was elected Speaker in May when John Perez (Los Angeles) stepped down. Speaker Atkins is the first Speaker from San Diego and Senator de Leon is the first Latino to hold the office since 1883.

In addition to electing its leaders, both houses adopted their rules, elected their Chief Sergeant-At-Arms, their chief administrative officers (Secretary of the Senate and Chief Clerk in the Assembly), and “opened the desk” to allow for the introduction of bills. Debbie Manning became the first woman elected Secretary of the Senate.

The next order of business was for each leader to choose the remainder of their leadership teams, appoint committee chairs, and assign members to the various committees. While the timing of these selections is dependent upon each leader, they generally occur sometime after the official organizational session, but before the legislature reconvenes in January.

We have set forth below the full leadership teams of both houses. However, in order to make this report more manageable we also have only included the chairs of committees that we believe SANDAG would be interested in because: (1) the committee is one in which SANDAG issues are likely to be heard; (2) a SANDAG delegation member is either the chair or vice chair of the committee; or (3) the committee is considered one of the most powerful and sought after committees, making the chair of that committee a key lieutenant of the leader in that house. For
the same reasons, we only have listed the committee assignments for the members of the San Diego delegation.

**Legislative Leadership**

**Assembly Democrat Leadership**

**Speaker: Assembly Member Toni G. Atkins (D-San Diego)**

Speaker pro Tem, Assembly Member Kevin Mullin (D-Redwood City, South San Francisco)

Assistant Speaker pro Tem, Assembly Member David Chiu (D-San Francisco)

Majority Floor Leader, Assembly Member Chris Holden (D-Pasadena)

Assistant Majority Floor Leader, Assembly Member Cristina Garcia (D-Montebello, Downey)

Majority Whip, Assembly Member Miguel Santiago (D-Los Angeles)

Assistant Majority Whip, Assembly Member Evan Low (D-“Silicon Valley” Campbell, Cupertino, San Jose)

Assistant Majority Whip, Assembly Member Jim Cooper (D-Sacramento, Elk Grove)

Democratic Caucus Chair, Assembly Member Philip Y. Ting (D-San Francisco)

**Assembly Republican Leadership**

Assembly Republican Leader/Minority Leader, Assembly Member Kristin Olsen (R-Manteca, Modesto)

Assembly Republican Caucus Chair, Scott Wilk (R-Santa Clarita, Simi Valley)

Assistant Republican Leader, “Strategic Advancement,” Travis Allen (R-Fountain Valley, Westminster, Garden)

Assistant Republican Leader, “Finance,” Frank Bigelow (R-Placerville, Madera)

Assistant Republican Leader, “Innovation and the New Economy,” Jay Obernolte (R-Hesperia, Apple Valley)

**Republican Floor Leader, Marie Waldron (R-Escondido, Temecula)**

Chief Minority Whip, Chad Mayes (Palm Desert, Palm Springs, Hemet)

Minority Whip, Ling Ling Chan (R-Diamond Bar, Walnut, Chino Hills)

Minority Whip, Beth Gains (R-Folsom, Roseville)

**Senate Democrat Leadership**
President pro Tem, Kevin de León (D-Los Angeles)

Assistant President pro Tem, Vacant

Majority Leader, Bill Monning (D-San Luis Obispo, Santa Cruz)

Majority Whip, Lois Wolk (D-Davis, Napa, Vallejo)

Democratic Caucus Chair, Connie Leyva (D-San Bernardino, Pomona)

President of the Senate, Lieutenant Governor, Gavin Newsom

(Under the State Constitution, the Lieutenant Governor serves as the President of the Senate. However, by law and custom the role of the President is extremely limited. He or she may be invited periodically to preside on ceremonial occasions, such as the opening of the Session. However, the only time the Lieutenant Governor is actually entitled to participate in the business of the Senate is in the case of a tie vote, when he or she casts the vote breaking the tie.)

Senate Republican Leadership

Minority Leader, Senator Bob Huff (R-Anaheim, Diamond Bar)

Minority Whip, Vacant

Republican Caucus Chair, Vacant

Committee Chairs and Assignments

Assembly

Appropriations, Jimmy Gomez (D-Los Angeles)

Budget, Shirley Weber (D-San Diego)

Subcommittee No. 3 Resources and Transportation, Richard Bloom (D-Santa Monica)

Subcommittee No. 4 State Administration, Adrin Nazarian (D-Sherman Oaks)

Business and Professions, Susan Bonilla (D-Concord)

Education, Patrick O’Donnell (D-Long Beach)

Governmental Organization, Adam Grey (D-Merced)

Health, Rob Bonta (D-Oakland)

Housing and Community Development, Ed Chau (D-Monterey Park)

Insurance, Tom Daly (D-Anaheim)
Local Government, Brian Maienschein (R-San Diego)

Vice Chair, Lorena Gonzalez (D-San Diego)

Natural Resources, Das Williams (D-Santa Barbara, Ventura)

Rules, Richard Gordon (D-Palo Alto, Mountain View)

Transportation, Jim Fraizer (D-Antioch, Fairfield)

Water, Parks, and Wildlife, Marc Levine (D-San Rafael)

Senate

Rules, Pro Tem Kevin de Leon (D-Los Angeles)

Appropriations, Ricardo Lara (D-Los Angeles, Long Beach, South Gate)

Budget and Fiscal Review, Mark Leno (D-San Francisco)

Subcommittee No. 2 Resources, Environmental Protection, Energy, and Transportation, Lois Wolk (D-Davis, Napa, Vallejo)

Subcommittee No. 4 State Administration and General Government, Richard Roth (D-Riverside)

Banking and Financial Institutions, Marty Block (D-San Diego)

Business, Professions, Economic Development and Consumer Protection, Jerry Hill (D-South San Francisco, Redwood City, Sunnyvale)

Education, Carol Liu (D-Pasadena, Glendale)

Energy, Utilities, and Communications, Ben Hueso (D-San Diego, Chula Vista, El Centro)

Environmental Quality, Bob Wieckowski (D-Hayward, Santa Clara, San Jose)

Governance and Finance, Bob Hertzberg (D-San Fernando Valley)

Governmental Organization, Isadore Hall (D-Inglewood, San Pedro, Campton)

Health, Ed Hernandez (D-Los Angeles, San Gabriel Valley)

Insurance, Richard Roth (D-Riverside)

Natural Resources and Water, Fran Pavley (D-Simi Valley, Thousand Oaks)

Transportation and Housing, Jim Beal (D-San Jose)

San Diego Delegation
We have set forth below the members of the San Diego Legislative Delegation along with their standing committee assignments, Legislative Priorities, and where applicable, those priorities which intersect with the SANDAG draft 2015 Legislative Program.

**Assembly Democrats**

**Toni Atkins**, Speaker (D-78)

Legislative Priorities: Access to Healthcare, Affordable Housing, Small Business Development

SANDAG Intersect: 1B (affordable housing), 13B (regional housing needs assessment)

**Shirley Weber**, Budget Chair (D-79)

Committees: Budget, (Vice Chair) Joint Legislative Budget, Budget No. 6 Process Oversight and Program Evaluation, Appropriations, Education, Higher Education

Legislative Priorities: Job Creation, K-12 Education, Post-Secondary, Small Business Initiative

SANDAG Intersect (Budget Chair): 1A (Federal Surface Transportation Authorization funding), 2A (Regional Transportation Plan [RTP] and Regional Comprehensive Plan [RCP] funding), 3B (public transit funding), 5B (public safety funding), 12B (public safety funding)

**Lorena Gonzalez**, Vice Chair, Local Government (D-80)


Legislative Priorities: Worker Rights, Immigrant Rights, Access to Healthcare

SANDAG Intersect: 1A (border programs), 5A (border transportation infrastructure needs), 3C (personnel matters)

As Local Government Vice Chair: 6B (unfunded mandates on local government), 12B (maintain public safety), 14B (promote governmental efficiencies)

**Assembly Republicans**

**Marie Waldron**, Republican Floor Leader (R-75)

Committees: Governmental Organization, Local Government, Rules, (Vice Chair) Public Employees, Retirement and Social Security

Legislative Priorities: Business, Local Government, Public Safety, Reducing Regulations

SANDAG Intersect: 4B (regional public safety), 5B (improve public safety in San Diego), 6B (unfunded mandates on local government), 12B (maintain public safety), 14B (promote governmental efficiencies)

**Brian Maienschein**, Chair, Local Government, (Vice Chair) Health (R-77)
Committees: Local Government, Health, Human Services, Judiciary

Legislative Priorities: Military and Veterans, economic development, education, public safety, and homeless and mental health

SANDAG Intersect: 4B (regional public safety), 5B (improve public safety in SD), 12B (public safety funding)

As Local Government Chair: 6B (unfunded mandates on local government), 12B (maintain public safety), 14B (promote governmental efficiencies)

**Brian Jones** (R-71)

Committees: Appropriations, Budget, Budget No. 1 Health and Human Services, Budget No. 6 Process Oversight and Program Evaluation, (Vice Chair) Business and Professions, Rules, Joint Legislative Audit, Joint Ethics

Legislative Priorities: Control State Spending, Efficiency in Government, Jobs

SANDAG Intersect: 6B (unfunded mandates on local government)

**Rocky Chavez** (R-76)

Committees: Budget, Budget No. 2 Education Finance, (Vice Chair) Education, Health, Higher Education, Veterans Affairs, Joint Legislative Committee Emergency Management

Legislative Priorities: Education, Veterans Jobs and Economic Development

SANDAG Intersect: 1A (goods movement)

**Senate Democrats**

**Marty Block**, Chair, Banking and Financial Institutions (D-39)

Committees: Not yet assigned


SANDAG Intersect: 2A (RTP funding regarding Cap and Trade), 6A and 7A (California Environmental Quality Act [CEQA] reform), 2B (climate change), 8B (key environmental issues)

**Ben Hueso**, Chair, Energy, Utilities, and Communications (D-40)

Committees: Not yet assigned

Legislative Priorities: Economic Development, Environmental Protection, Jobs, Water Quality

SANDAG Intersect: 1A (goods movement), 2A (RTP funding regarding Cap and Trade), 6A and 7A (CEQA reform), 2B (climate change), 8B (key environmental issues), 2C (water)
As Energy, Utilities, and Communications Chair – 10B (energy-related legislation)

**Senate Republicans**

**Joel Anderson** (R-38)

Committees: Not yet assigned

Legislative Priorities: Improving State Infrastructure, Health, State Fiscal Matters

SANDAG Intersect: 1A (transit and transportation planning), 2A (RTP funding), 5A (border transportation infrastructure needs), 9B (promote efficient use of highways and local roads), 11B (connectivity of transportation systems)

**Pat Bates** (R-36)

Committees: Not yet assigned

Legislative Priorities: Affordable Housing, Environmental Quality

SANDAG Intersect: 1B (affordable housing), 13B (Regional Housing Needs Assessment), 1A (goods movement), 2A (RTP funding regarding Cap and Trade), 6A and 7A (CEQA reform), 2B (climate change), 8B (key environmental issues)

With Toni Atkins as Speaker of the Assembly, Shirley Weber as Budget Chair, Brian Maienschein as Chair, Lorena Gonzalez as Vice Chair of Local Government, Marie Waldron as Republican Floor Leader and Vice Chair of Rules, Marty Block as Banking and Financial Institutions Chair and Ben Hueso as Energy, Utilities, and Communications Chair, San Diego has arguably its strongest legislative delegation ever. However, it is worth noting that San Diego has no members on the Assembly Transportation Committee. Senate Committee membership, including the Transportation Committee, has not been announced as of the writing of this report.

**2015 Legislation**

So far this year there have been a total of 157 bills introduced since December 1, 2014. The bill introduction deadline is February 27, 2015. Based on prior years, we expect to see a total of about 2,500 bills introduced in just the first year of this upcoming two-year legislative session, and another 2,500 or so during the second year. That means that over the next two months, more than 2,000 bills will likely be introduced, most in the final week prior to the February 27, 2015, deadline. Once introduced, bills cannot be acted upon for 30 days. Thus, the policy committees will start getting very active in late March and early April. In May, most bills that are still moving will move to the respective fiscal committees, and by early June, bills will be heard on the floor and pass out of the house of origin. Then, the bills go through a similar process (policy committee and fiscal committee) in the other house. By mid-July, all second house bills must advance out of policy committee and must get out of the fiscal committee by the end of August. September 11, 2015, is the last day for either floor to act on any bills. Meanwhile, budget subcommittee hearings will begin in the spring, and by June, the Legislature will be finalizing the FY 2015-2016 budget, which by law must be completed June 15, otherwise the legislators do not get paid.
Of the relatively few bills that have been introduced as of the writing of this report, we have identified them below and noted where they intersect with SANDAG 2015 Legislative Priorities. None of the bills listed below have been heard in any committee yet. Note that the extent to which any of the listed bills could intersect with SANDAG Legislative Priorities could change substantially based on the number and type of amendments that the bills may undergo during the legislative process.

**Assembly Bill 4 (Linder)** - Would, notwithstanding specified provisions or any other law, until January 1, 2020, prohibit weight fee revenues from being transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds, and also would prohibit loans of weight fee revenues to the General Fund. By prohibiting the borrowing of transportation funds by the General Fund, this bill arguably ensures that more money is available for transportation projects, and thus intersects with SANDAG Legislative Priority 2A (RTP/RCP funding).

**Assembly Bill 6 (Wilk)** - Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds. These provisions would become effective only upon approval by the voters at the next statewide election. This bill appears to intersect with SANDAG Legislative Priority 2A (RTP/RCP funding) and 3B (rail and transit funding).

**Assembly Bill 21 (Perea)** - Would require the State Air Resources Board (ARB), no later than January 1, 2018, to recommend to the Governor and the Legislature a specific target of statewide emissions reductions for 2030 to be accomplished in a cost-effective manner. This bill contains other related provisions and other existing laws. Depending on the nature of the ARB's recommendations, this bill could intersect with SANDAG Legislative Priorities 2A (RTP/RCP funding), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues).

**Assembly Bill 23 (Patterson)** - This bill would exempt those categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020. By delaying the implementation of Cap and Trade compliance obligations for certain entities, this bill could intersect with SANDAG Legislative Priorities 2A (RTP/RCP funding), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues).

**Assembly Bill 33 (Quirk)** - This bill, until January 1, 2020, would require, for purposes of advising the update of the next scoping plan, the State ARB to develop specified information by July 1, 2016. The bill would require the state board on or before January 1, 2017, to submit a report to the appropriate committees of the Legislature on the specified information. Depending on the nature of ARB's reports, this bill could intersect with SANDAG Legislative Priorities 2A (RTP/RCP funding), 3A (RTP/SCS), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues).
Assembly Concurrent Resolution 4 (Waldron) - Would designate a portion of State Highway Route 76 in the County of San Diego as the Joel Mendenhall Memorial Highway. The measure also would request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from non-state sources covering the cost, to erect those signs. Although a matter of local concern to the San Diego area, this resolution does not appear to directly intersect with any of SANDAG Legislative Priorities.

Senate Bill 1 (Gaines) - This bill would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism. Similar to Assembly Bill (AB) 23 this bill could intersect with SANDAG Legislative Priorities 2A (RTP/RCP funding), 3A (RTP/SCS), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues), as it would eliminate Cap and Trade revenues from certain entities. Unlike AB 23, this bill contemplates a permanent rather than temporary (through 2020) exemption.

Senate Bill 5 (Vidak) - This bill would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020. This bill appears to be virtually identical to AB 23, and by delaying the implementation of Cap and Trade compliance obligations for certain entities, this bill could intersect with SANDAG Legislative Priorities 2A (RTP/RCP funding), 3A (RTP/SCS), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues).

Senate Bill 9 (Beall) - Would, under the Greenhouse Gas Reduction Fund, modify the purpose of the program to delete references to operational investments and instead provide for the funding of large, transformative capital improvements with a total cost exceeding $100,000,000. The bill would require the California State Transportation Agency, in prioritizing and selecting projects for funding, to consider the extent to which a project reduces greenhouse gas emissions, and would add additional factors to be considered in evaluating applications for funding. This bill contains other existing laws. This large bill appears to intersect with a number of SANDAG Legislative Priorities, including 1A (transportation planning), 2A (RTP/RCP funding), 3A (RTP/SCS), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues).

Senate Bill 16 (Beall) - This bill would state the intent of the Legislature that the Department of Transportation identify savings from implementing efficiencies in its current programs and direct those resources into expanded activities for road repair and litter cleanup. This bill appears to intersect with SANDAG Legislative Priority 2A (RTP/RCP funding) and 12B (promote quality of life), and could potentially intersect with 5A (border transportation), 8B (environmental issues).

Senate Bill 32 (Pavley) - Would require the State ARB to approve a statewide greenhouse gas emission limit that is equivalent to 80 percent below the 1990 level to be achieved by 2050, as specified. The bill would authorize the state board to adopt interim greenhouse gas emissions level targets to be achieved by 2030 and 2040. The bill also would state the intent of the Legislature for the Legislature and appropriate agencies to adopt complementary policies that ensure long-term emissions reductions advance specified criteria. This bill proposes a comprehensive change to the Cap and Trade Program, and will inevitably be thoroughly vetted by legislative leadership. In addition, there will likely be extensive discussions with the Governor’s office before passage. So this is likely just the starting point. Pavley’s office described the bill as “building on Governor
Schwarzenegger’s Executive Order” (Executive Order S-3-05), which also included the 80 percent below the 1990 level by 2050 component; however, they won’t have any additional background information or direction until after the Legislature returns in January. While there have been many efforts past and present to look at modifications to the Cap and Trade Program and its future, Pavley’s office believes that Senate Bill (SB) 32 is the first to look as far forward as 2050. This bill appears to intersect with SANDAG Legislative Priorities 2A (RTP/RCP funding), 3A (RTP/SCS), 6A and 7A (CEQA), 2B (Cap and Trade), and 8B (environmental issues).

Senate Bill 34 (Hill) - Would impose specified requirements on an “Automated License Plate Recognition (ALPR) operator” as defined, including, among others, ensuring that the information the ALPR operator collects is protected with certain safeguards, and implementing and maintaining specified security procedures and a usage and privacy policy with respect to that information. This bill is similar to last year’s SB 893, which was a priority bill for SANDAG before it died, and appears to intersect with SANDAG Legislative Priority 9B (transponder technology).

Senate Bill 39 (Pavley) - Current federal law, until September 30, 2017, authorizes a state to allow specified labeled vehicles to use lanes designated for High Occupancy Vehicles (HOVs). This bill would increase the number of those identifiers that the Department of Motor Vehicles is authorized to issue to an unspecified amount. Because this will impact access to HOV Lanes, this bill appears to intersect with SANDAG Legislative Priority 9B (High Occupancy Toll Lanes).

Senate Bill 40 (Gaines) - Would require incentives for qualifying passenger vehicles under the Clean Vehicle Rebate Project of the Air Quality Improvement Program to be limited to passenger vehicles with a manufacturer’s suggested retail price of $40,000 or less. The bill would require the rebate for qualifying passenger vehicles to be $3,500, subject to availability of funds. This bill could potentially intersect with SANDAG Legislative Priority 2B (Cap and Trade), 8B (environmental issues), and 10B (energy-related legislation).

Senate Bill 59 (Knight) - Current law authorizes local authorities and the Department of Transportation to establish exclusive or preferential use of highway lanes for HOVs. This bill would make technical, nonsubstantive changes to that provision. This bill is currently only a spot bill. Since Knight will soon be leaving the Legislature for Congress, there will be a special election held to fill his seat. According to the author’s office, this bill is merely a placeholder to allow the soon-to-be-elected Senator an option to address this general area, although they currently have no specific plans. Thus, this bill could potentially intersect with SANDAG Legislative Priority 9B (RTP implementation) and possibly others.

**Legislative Calendar**

On Monday, January 5, 2015, the legislature reconvened in Sacramento and Governor Brown took the oath of office and delivered his inaugural address, which also served as the Governor’s constitutionally required annual report to the Legislature. Next up, the Governor must submit his budget to the Legislature by January 10th. We have set forth below the full Legislative Calendar listing all of the critical deadlines for 2015.

**2015 Tentative Legislative Calendar**

**January 1** Statutes take effect (Art. IV, Sec. 8(c)).
January 5 Legislature reconvenes (J.R. 51(a)(1)).

January 10 Budget Bill must be submitted by Governor (Art. IV, Sec. 12(a)).

January 30 Last day to submit bill requests to the Office of Legislative Counsel.

February 16 Presidents’ Day observed.

February 27 Last day for bills to be introduced (J.R. 61(a)(1), J.R. 54(a)).

March 26 Spring Recess begins upon adjournment (J.R. 51(a)(2)).

April 6 Legislature reconvenes from Spring Recess (J.R. 51(a)(2)).

May 1 Last day for policy committees to hear and report fiscal bills for referral to fiscal committees (J.R. 61(a)(2)).

May 15 Last day for policy committees to hear and report to the Floor non-fiscal bills (J.R. 61(a)(3)).

May 22 Last day for policy committees to meet prior to June 8 (J.R. 61(a)(4)).

May 25 Memorial Day observed.

May 29 Last day for fiscal committee to hear and report bills to the Floor (J.R. 61(a)(5)). Last day for fiscal committee to meet prior to June 8 (J.R. 61(a)(6)).

June 1-5 Floor Session only. No committee meetings may meet for any purpose (J.R. 61(a)(7)).

June 5 Last day to pass bills out of house of origin (J.R. 61(a)(8)).

June 8 Committee meetings may resume (J.R. 61(a)(9)).

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).

July 3 Independence Day observed.

July 17 Last day for policy committees to meet and report bills (J.R. 61(a)(10)). Summer Recess begins upon adjournment, provided Budget Bill has been passed (J.R. 51(a)(3)).

August 17 Legislature reconvenes from Summer Recess (J.R. 51(a)(3)).

August 28 Last day for fiscal committees to meet and report bills to the floor (J.R. 61(a)(11)).

August 31 - September 11 Floor Session only. No committee may meet for any purpose except for Rules Committee and Conference Committees (J.R. 61(a)(12)).

September 4 Last day to amend on the Floor (J.R. 61(a)(13), A.R. 69(e)).

September 7 Labor Day observed.
**September 11** Last day for any bill to be passed (J.R. 61(a)(14)). Interim Study Recess begins upon adjournment (J.R. 51(a)(4)).

**October 11** Last day for Governor to sign or veto bills passed by the Legislature on or before September 11 - and in the Governor’s possession after Sept. 11 (Art. IV, Sec. 10(b)(1)).
December 11, 2014

Transportation Update from Peyser Associates

FY 2015 Funding Bill in Crisis

We are in the final days of the 113th Congress, and with the current continuing resolution (CR) expiring on midnight tonight, the House of Representatives is struggling to pass the FY 2015 “cromnibus.” The measure (H.R. 83) is an omnibus compiled of 11 appropriations bills and a CR for the Department of Homeland Security through February 27, 2015. The Department of Homeland Security is funded via a CR as a Republican response to President Obama’s recent immigration measures.

In addition to the spending provisions in the bill, it contains two provisions that have stirred controversy among Democratic members. One would relax the rules restricting derivative trading by banks and the other would raise the donation limits by individuals to party organizations. While both are controversial, the provision on bank derivative trading has raised the hackles of a number of key Democrats such as Senator Elizabeth Warren (D-MA) and House Minority Leader Nancy Pelosi (D-CA).

Republican (GOP) support for the bill is not unanimous as a number of more conservative members believe that the bill is too rich on spending and/or is too timid in its opposition to the President’s initiatives on immigration.

The difficulties on both sides of the aisle have put Speaker John Boehner (R-OH) and his leadership team in a bind. In the first test vote on the package, the House narrowly passed the rules for debate on the bill by a vote of 214-212. This slim margin only was obtained by arm-twisting the Speaker, performed successfully on at least two lame-duck GOP members in full view of the other Members on the House floor. Not a single Democrat voted for the rules for debate. This, despite the fact that President Obama released a statement saying he supports the omnibus bill.

Shortly after that embarrassing near-defeat, the leadership announced the expected 2 p.m. vote on final passage would be postponed. Speculation is rising that they will not be able to amass the necessary votes to pass the bill.

Given the delay in the House, it is increasingly unlikely that the Senate will be able to pass the bill before the midnight deadline. Therefore, a short-term bill, perhaps for 24 hours or perhaps into next week, will be needed to keep the government running.
Spending Levels in the “Cromnibus”

As we have said previously, there were not too many major discrepancies between the House and Senate versions of the FY 2015 Transportation, Housing, and Urban Development bill. The biggest difference between the chambers was the House’s call for only $100 million for Transportation Investment Generating Economic Recovery (TIGER) funds, with very limited project eligibility (no transit), while the Senate asked for $550 million. Negotiators settled closer to the Senate number and TIGER will be funded at $500 million for FY 2015.

The Federal Transit Administration (FTA) receives $10.9 billion in total, which is $141 million more than FY 2014. Formula grants are funded at $8.6 billion and capital investment grants (New Starts) is given $2.12 billion. Though $177.1 million more than last year, it is partially offset by $121.5 million in rescinded funding. The following division is from the bill’s Explanatory Statement:

“Of the funds available, $1,510,137,944 is for projects with signed full funding grant agreements (FFGAs), $120,000,000 is available for core capacity projects, and $21,149,233 is available for oversight activities. For new small start projects, $143,712,823 of the funds provided under this heading, plus $27,989,839 in prior year funds (as provided in Sec. 168), are available. The agreement rescinds a total of $121,546,138 in prior year funds.

For projects anticipated to be under a signed FFGA in fiscal year 2015, 325,000,000 is available. FTA is directed to give funding priority to projects requiring a 40 percent or less Federal share.”

The Federal Railroad Administration (FRA) is provided with $1.63 billion, with $1.39 billion going to Amtrak, matching last year’s funding. The Amtrak money includes $1.14 billion in capital and debt service grants and $250 million in operating grants. FRA is given $186.9 million for safety and operations and $10 million for a grant program to improve tracks and grade crossings on routes that transport energy products. As expected, no funding is included for High-Speed Rail programs. However, the legislation does not include any riders specifically mentioning HSR in California.

Tax Extenders

We await Senate action on the House-passed tax extenders measure (H.R. 5771). As a reminder, the provisions included in the provision expired at the end of 2013 and are extended only until December 31, 2014. This includes the increased transit benefit, tax credits for biodiesel and renewable diesel fuels, 50 cents-per gallon tax credit for alternative fuel and alternative fuel mixtures, and a 30 percent credit for installing vehicle refueling property for alternative fuel, such as pumps for ethanol or liquefied natural gas.

Senate Commerce Passenger Rail Hearing

Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee Chairman Richard Blumenthal (D-CT) held a subcommittee hearing titled, “Passenger Rail: Investing in our Nation’s Future” on Wednesday, December 10, 2014. Witnesses included the Honorable Peter Roa Director, Association of Independent Passenger Rail Operators

Senator Blumenthal, who has proposed a rail trust fund, asked the witnesses for their opinion of what financing mechanism should be created to help rail. Amtrak Chair Coscia thinks that the
solution is a “hybrid federal grant program” that is partly supported by the states and comes with some sort of “credit enhancement component” from the federal government. Not surprisingly, Rogoff pressed for the Administration’s GROW America proposal, which includes a rail trust fund.

Mr. Chambers, the executive director of the Association of Independent Passenger Rail Operators, talked about allowing states more authority to engage in public-private partnerships that would encourage competition.

During the hearing, Senator Nelson (D-FL) asked about HSR and what the incentive is to bring HSR to the Northeast Corridor (NEC) since the corridor’s ridership continues to grow. Amtrak Chair Coscia stressed that he believes that the demand for service on the NEC exists and only will continue to exist if Amtrak is able to better the rail service offered. Amtrak Chair Coscia added that he believes the NEC can be an HSR model for the rest of the nation.

It is worth noting that incoming Senate Commerce Chair John Thune (R-SD) told reporters that a rail reauthorization will not be a priority for his committee or the Senate as a whole in 2015. However, this does not preclude rail being addressed as part of the transportation legislation Congress takes up with Moving Ahead for Progress in the 21st Century extension expiring at the end of May 2015. The witnesses at the hearing all expressed support for rail to be included as part of comprehensive surface transportation legislation.

December 18, 2014

Transportation Update from Peyser Associates

FY 2015 Funding

Despite a contentious final weekend of the 113th Congress, the Senate was finally able to pass the FY 2015 “cromnibus” by a vote of 56-40. (House actions on the bill last week were more dramatic than GOP leaders intended and after holding off on the vote all day to gather more support, the omnibus passed the House by a vote of 219-206.) Congressional action means that the appropriations process for FY 2015 is complete for all agencies except for the Department of Homeland Security (DHS). DHS funding will run out on February 27, 2015, but the Department of Transportation and the remainder of the federal government are funded through September 30, 2015.

President Obama signed the measure on December 16, 2014, and FY 2015 final allocations from agencies such as the FTA will be forthcoming in the new year.

Tax Extenders

One of the last actions taken by the Senate before the chamber adjourned for the year was approval of the House-passed tax extenders bill, which retroactively extends most provisions for 2014, keeping them on the books only for another two weeks. Included are the increased transit benefit, tax credits for biodiesel and renewable diesel fuels, 50 cents-per gallon tax credit for alternative fuel and alternative fuel mixtures, and a 30 percent credit for installing vehicle refueling property for alternative fuel such as pumps for ethanol or liquefied natural gas. The Senate vote was 76-16. Eight Democrats voted against the package in opposition to the limited timeframe and the harm the uncertainty can cause for business.
**Surface Transportation Board Vacancy**

As the year comes to an end, so does the extension of the expired term of Surface Transportation Board (STB) Board Member Dan Elliot. Mr. Elliot’s term expired in 2013, but the law allows a Board member to continue serving for up to one year after his or her term expires if no successor is confirmed. The failure of the Obama Administration to re-nominate Mr. Elliot or to nominate someone else means that as of January 1, 2015, the STB will have only two members. The very real possibility of a 1-1 deadlock on any controversial matter may make it virtually impossible for the STB to carry out its business.

The STB’s role in oversight of intercity passenger rail projects, commuter rail access to freight lines, and other matters make this an issue of concern for those seeking to advance passenger rail projects and commuter railroads who may have disputes with the freight railroads over whose lines they provide service.

**Therese McMillan Nomination**

In the closing days of the 113th Congress, numerous nominees for high-ranking government positions were confirmed by the Senate. Included were some controversial ones such as the nomination for the new Surgeon General. Missing from the list of confirmed nominations was Therese McMillan for FTA. We are not sure why the nomination did not make it to the floor, but the fact that it did not means it will need to be re-submitted by the Administration when the 114th Congress convenes in January. The fact that the Senate will be under Republican control at that time is not a real threat to ultimate confirmation, but the new majority may not feel an urgency to move on Obama Administration nominations quickly.

**Activity Report for SANDAG**

*December 2014*

**Peyser Associates LLC**

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<th>Date</th>
<th>Activity</th>
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<tr>
<td>12/2</td>
<td>State Route 11 (SR-11)/Otay Mesa East (OME) Team conference call</td>
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<td>12/4</td>
<td>Prepare weekly transportation update and send to SANDAG, Metropolitan Transit System (MTS), and North County Transit District (NCTD)</td>
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<tr>
<td>12/5</td>
<td>Email exchange with V. Stackwick regarding TIFIA timeline</td>
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<td>12/9</td>
<td>Biweekly teleconference with SANDAG and MTS</td>
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<tr>
<td>12/11</td>
<td>Prepare weekly transportation update and send to SANDAG, MTS, and NCTD</td>
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<tr>
<td>12/16</td>
<td>SR-11/OME Team conference call, Emails and teleconference regarding SANDAG/Southern California Association of Governments (SCAG) February D.C. breakfast</td>
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<tr>
<td>12/17</td>
<td>Emails regarding SANDAG/SCAG February D.C. breakfast, Review SANDAG Letter of Interest to TIFIA and send comments</td>
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<tr>
<td>12/18</td>
<td>Prepare weekly transportation update and send to SANDAG, MTS, and NCTD</td>
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<td>12/19</td>
<td>Email exchange with S. Cooney regarding visit to San Diego in January</td>
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<tr>
<td>12/30</td>
<td>Email exchange with C. Casgar regarding 1/12 Washington meetings</td>
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